

4-28-04

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	10/687,306
Filing Date	October 15, 2003
First Named Inventor	Mark Rise
Group Art Unit	3736
Examiner Name	Not assigned
Attorney Docket Number	011738.00136

Total Number of Pages in This Submission

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Replacement Figure 4 <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Copy of Notice to File Missing Parts of Nonprovisional Application <input type="checkbox"/> Executed Declaration <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 4 References Copy of Acknowledgement Receipt Copy of Electronic IDS Express Mail Certificate Return Receipt Postcard
Remarks		The Commissioner is hereby authorized to charge any deficiencies in payment or credit any overpayment to our Deposit Account No. 19-0733. Express Mail No. EL 995824089 US

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Kenneth F. Smolik Banner & Witcoff, Ltd.
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Signature

Date

April 27, 2004

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

(Attorney Docket No. 011738.00136)

In re U.S. Patent Application of Rise, et al.)	
)	
Application No. 10/687,306)	Group Art Unit: 3736
)	
Filed: October 15, 2003)	Examiner: Unassigned
)	
For: Medical Device System with Relaying)	Confirmation No. 7914
Module for Treatment of Nervous)	
System Disorders)	

INFORMATION DISCLOSURE STATEMENT

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR §§1.97 and 1.98, the Applicant wishes to make the following references of record in the above-identified application. This Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 CFR §1.56. Copies of the references cited below are enclosed. The references are also listed on the enclosed and completed Form PTO/SB/08A.

The U.S. references were filed electronically on April 27, 2004. A copy of the Electronic Information Disclosure Statement is attached hereto.

This Information Disclosure Statement is filed under 37 CFR §1.97(b) before the mailing date of a first Office Action on the merits. Accordingly, there is no fee due for filing this Information Disclosure Statement. However, if it is determined that a fee is due, the

Commissioner is authorized to charge or credit any fees associated with this paper to Deposit Account No. 19-0733.

Under 37 CFR §1.97(g), the filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made.

Under 37 CFR §1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the cited references are, or are considered to be, material to patentability as defined in 37 CFR §1.56(b).

U.S. Reference

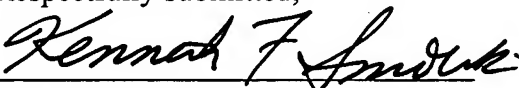
John, et al., U.S. Patent No. 6,385,486, issued May 7, 2002.

Foreign References

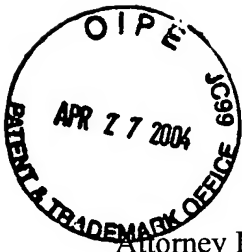
WO 97/00708, published January 9, 1997
WO 99/45516, published September 10, 1999
WO 01/37724, published May 31, 2001

Dated: April 27, 2004

Respectfully submitted,

By: 

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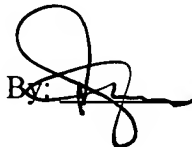


**CERTIFICATE OF MAILING
(PATENT APPLICATION)**

Attorney Docket No. 011738.00136
Confirmation No. 8261

Express Mail No. EL 995824089 US
Deposited: April 27, 2004

I hereby certify that the attached correspondence, identified below, is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" under 37 CFR §1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By:  _____

Rise, et al., U.S. Patent Application No. 10/687,306 for "Medical Device System with Relaying Module for Treatment of Nervous System Disorders"

Transmitted herewith are the following documents:

- Transmittal Form (in duplicate)
- Information Disclosure Statement (2 pages)
- Form PTO/SB/08A (1 page)
- 4 References
- Copy of Acknowledgement Receipt (2 pages)
- Copy of Electronic Information Disclosure Statement (1 page)
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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) Sheet <input type="text"/> of <input type="text"/>		Complete if Known	
		Application Number	10/687,306
		Filing Date	October 15, 2003
		First Named Inventor	Rise
		Group Art Unit	3736
		Examiner Name	Unassigned
		Attorney Docket Number	011738.00136

U.S. PATENT DOCUMENTS					
Examiner Initials *	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		US-6,385,486	05/07/2002	John, et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials *	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
		WO 97/00708	01/09/1997			
		WO 99/45516	09/10/1999			
		WO 01/37724	05/31/2001			

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional) . ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.

³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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